after judgment would prevent an appeal from a Circuit to the Supreme Court. *Alabama Gold Life Ins. Co.* v. *Nichols*, 109 U. S. 232; *Pacific Postal Tel. Cable Co.* v. *O'Connor*, 128 U. S. 394. When, as in the principal case, there is a reduction of the *ad damnum* clause to prevent removal to the federal court, the same underlying principle governs. The reduction, if it takes place after removal, will, of course, be ineffectual to deprive the federal court of jurisdiction already acquired. *Johnson* v. *Computing Scale Co.*, 139 Fed. 339. The same is true if the petition and bond for removal have already been filed. *Chicago, R. I. & P. R. Co.* v. *Stone*, 70 Kan. 708, 79 Pac. 655. But a reduction made prior to the filing of the petition for removal is effective to prevent the federal court from getting jurisdiction. *Western Union Tel. Co.* v. *Campbell*, 41 Tex. Civ. App. 204, 91 S. W. 312.

FOREIGN CORPORATIONS — DOMESTIC JURISDICTION — JURISDICTION OF EQUITY TO INTERFERE WITH INTERNAL MANAGEMENT OF FOREIGN CORPORATION. — A foreign mutual beneficiary society threatened to cancel the plaintiff's certificate entitling him to membership and insurance. Having served process on the local agent, the plaintiff asks an injunction to prevent this action by the corporation. *Held*, that the relief cannot be granted. *Tolbert* v. *Modern Woodmen of America*, 145 Pac. 183 (Wash.).

For a discussion of the jurisdiction of equity over the internal management of foreign corporations, see p. 611 of this issue of the REVIEW.

INJUNCTIONS — ACTS RESTRAINED — PAYMENT OF SALARIES ALLEGED NOT TO BE CONSTITUTIONALLY AUTHORIZED. — A state legislature created an investigating commission and provided for the payment of the salaries and expenses of its members. The plaintiff, a taxpayer, alleging that this legislative action was unconstitutional, brings suit to enjoin the state auditor and treasurer from making the authorized payments. *Held*, that he cannot maintain the suit. *Sutton* v. *Buie*, 66 So. 956 (La.).

The court, while admitting that these taxpayer's actions are maintainable against municipal officers, properly distinguishes attempts to enjoin state officials by reason of the practical inconvenience involved, and avoids the common error of denying relief upon jurisdictional grounds, or upon the theory that the suit is really brought against the state itself. For a discussion of the principles involved, see 28 HARV. L. REV. 309.

INTERSTATE AND FOREIGN COMMERCE — WHAT CONSTITUTES FOREIGN COMMERCE — ROUTE OVER HIGH SEAS WITH *TERMINI* WITHIN ONE STATE. — A California corporation operated a line of steamships running from one port in California to another port in the same state, part of the voyage being on the high seas. The state Railroad Commission undertook to regulate the rates charged. *Held*, that the state commission has this power. *Wilmington Transportation Co.* v. *Railroad Commission of California*, 236 U. S. 151.

This case, one of first impression in the United States Supreme Court, affirms the decision of the state supreme court discussed in 27 HARV. L. REV. 686. See *Wilmington Transportation Co.* v. *Railroad Commission of California*, 166 Cal. 741, 137 Pac. 1153. The only other adjudication is now overruled. *Pacific Coast S. S. Co.* v. *Board of R. Commissioners*, 18 Fed. 10. The case does not, however, involve a decision that rates for such commerce are exclusively within the control of the states. The court reaches its result on the narrower ground that the matter is one of purely local concern, and therefore within the control of the states, at least until Congress has acted. See *Port Richmond, etc. Co.* v. *Board of Chosen Freeholders*, 234 U. S. 317. Whether or not such commerce may be brought within federal jurisdiction under the commerce clause remains as yet undecided. The carriage of goods from a point on the high seas without the United States to a point within, although not strictly com-

merce with any foreign nation, has been held within the regulative power of Congress. *The Abby Dodge*, 223 U. S. 166. The same is true of the carriage of goods between two points in the same state over a route passing through another state. *Hanley* v. *Kansas City Southern Ry. Co.*, 187 U. S. 617. These cases seem to afford strong argument from authority for recognizing a dormant federal power in a situation like the one here disclosed.

INTERSTATE COMMERCE — CONTROL BY CONGRESS — ACT TO REGULATE COMMERCE — ISSUANCE OF PASSES TO EMPLOYEES OF COMMON CARRIERS NOT SUBJECT TO THE ACT. — Section 1 of the Act to Regulate Commerce, as amended June 29, 1906, prohibits the issuance of passes by common carriers subject to the Act, but expressly permits "the interchange of passes for the officers, agents and employees of common carriers and their families." This section was reënacted in 1910, with an amendment providing that the section should not prohibit "the privilege of passes . . . for . . . employees . . . of such telegraph, telephone, and cable lines, and the . . . employees . . . of other common carriers subject to the provisions of this act." The United States seeks to enjoin the issuance of passes by the defendant to employees of common carriers not subject to the Act. *Held*, that the relief be denied. *United States* v. *Erie R. Co.*, Sup. Ct. Off., No. 493 (Feb. 23, 1915).

The section in question had been previously interpreted by the Interstate Commerce Commission to mean that the interchange of passes was not permissible except with carriers subject to the Act. *Petition of the Frank Parmelee Co.*, 12 I. C. C. 39. And this interpretation had been embodied in the Conference Rulings. *I. C. C. Conference Rulings*, 95 *g*. In 1910 the section was reënacted without change, except for the addition of the second proviso above quoted. 36 U. S. STAT. AT LARGE, 546. Such a reënactment indicates a certain tacit approval of the Commission's interpretation and might have been expected to influence the Supreme Court to adopt the existing construction. See *New York, N. H. & H. R. Co.* v. *Interstate Commerce Commission*, 200 U. S. 361, 401. But the actual, and unopposed, practice of the carriers was to the contrary, and accordingly the court was persuaded to adopt a construction opposed to the Commission's ruling. The amendment of 1910 was taken to sustain the view of the court, in that it limited the interchange merely of telegraph and telephone franks to carriers subject to the Act. Furthermore, the only possible justification for the interchange of passes even with employees of carriers subject to the Act arises from the financial value of harmonious relations with possible feeders, and applies with equal cogency in the case of carriers not subject to the Act. The Supreme Court's construction, therefore, leaving aside any question of the possible abuse of such a pass system, seems to be completely in harmony with the logic of the exemption.

INTERSTATE COMMERCE — CONTROL BY CONGRESS — APPLICATION OF CARMACK AMENDMENT TO SHIPMENTS BETWEEN TWO *TERMINI* IN SAME STATE WHICH PASS THROUGH ANOTHER STATE. — A shipment of goods from one point to another in the same state passed *en route* through another state. The shipper now seeks to hold the initial carrier for damages without showing a contract for through carriage. The Carmack Amendment provides for the liability of the initial carrier in shipments "from a point in one state to a point in another state." *Held*, that the plaintiff cannot recover. *Wichita Falls & W. Ry. Co. of Texas* v. *Asher*, 171 S. W. 1114 (Tex. Civ. App.).

The court takes the position that the Carmack Amendment does not apply to a shipment of this nature. Such a shipment is undoubtedly interstate, and therefore subject to regulation by Congress. *Hanley* v. *Kansas City Southern R. Co.*, 187 U. S. 617. The inquiry then is merely whether Congress has in